

**CITY OF SAUSALITO
BCDC ENFORCEMENT COMMITTEE
TRI-ANNUAL REPORT
COMPLIANCE WITH AGREEMENT
DATED JANUARY 25,2021**

PRESENTED TO BCDC ENFORCEMENT COMMITTEE
MARCH 23, 2022

AGREEMENT BETWEEN BCDC AND THE CITY OF SAUSALITO

- Waterfront and Vessel Management
- Regional Cooperation
- Eelgrass Habitat Restoration and Damage Avoidance
- Reporting

WATERFRONT MANAGEMENT PLAN PRIORITIES

Highest Priorities

1. Removal of marine debris vessels
2. Removal of unoccupied vessels being stored on Sausalito waters
3. Unregistered vessels
4. Vessels occupied by persons who are a danger to themselves or others

Lowest Priority

1. Legacy occupied vessels that are:
 - Licensed
 - Registered
 - In possession of a waste disposal contract or utilizing similar form of service

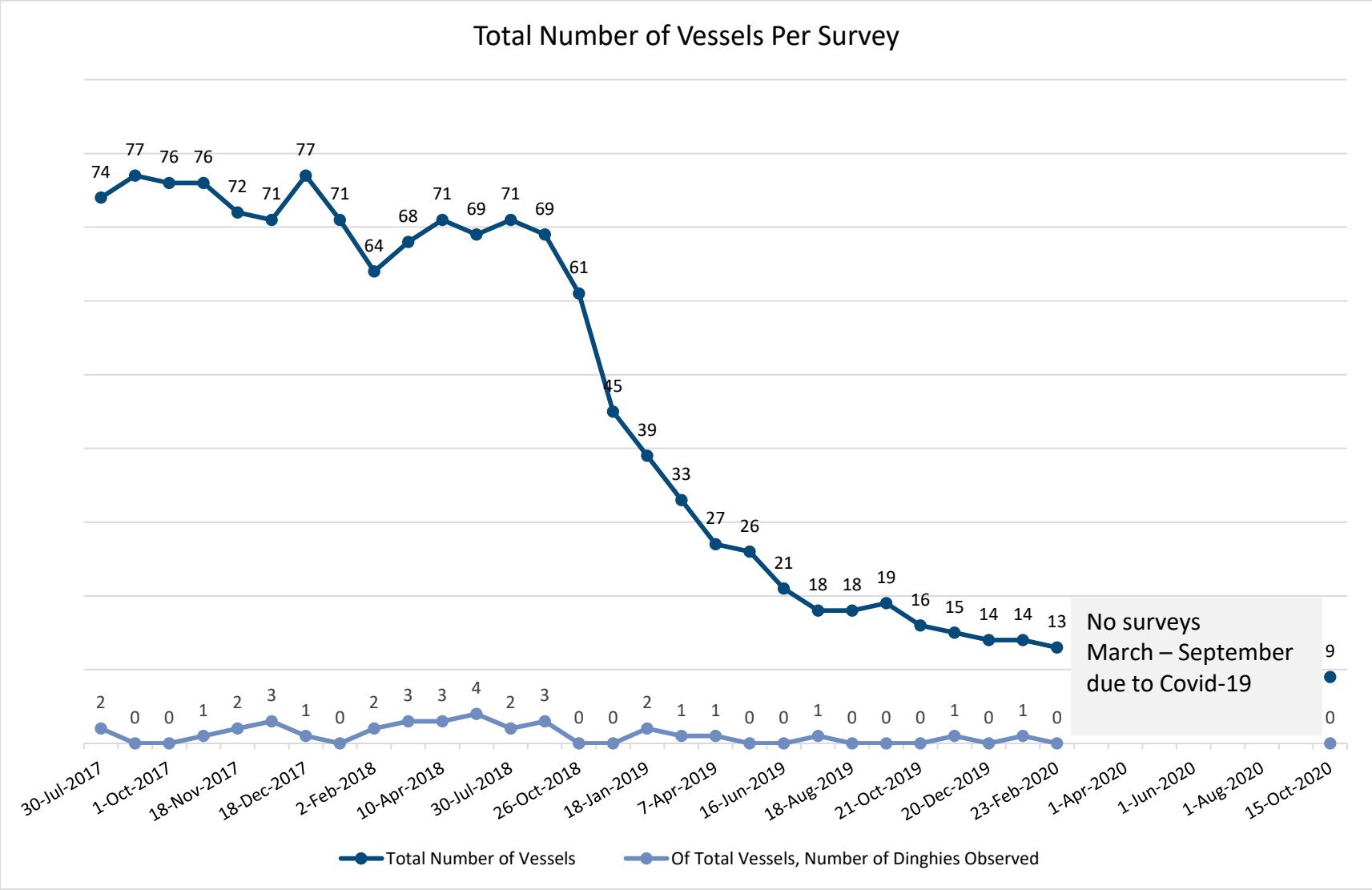
WATERFRONT MANAGEMENT PLAN PRIORITIES

- On January 22, 2018, the City Council modified Phase IV to adopt a 2-part strategy:
 - Immediate enforcement of 72-hour ordinance with respect to any new occupied boats entering our waters;
 - Deferred enforcement of Legacy Anchor Outs: reduce number of the six remaining occupied boats already on our waters through attrition and through Marin County / Sausalito relocation efforts (i.e., Marin County housing vouchers / increase in Sausalito live-aboard limits)
 - The age of the remaining Legacy Anchor outs ranges from 68 to 80; we estimate this approach could take five years for the six Legacy Anchor Outs to transition off the water

SAFE HARBOR PROGRAM

- Sausalito has demonstrated both compassion and an opportunity for long term success in its outreach efforts through its mobile shower program and its Safe Harbor program
- Working in conjunction with the Marin County Department of Health and Human Services, Ritter Center, the Sausalito Chamber of Commerce, and with various marina operators throughout town, Sausalito commenced the Safe Harbor program to assist in the goal of Empowering anchorouts toward an independent life.

SAUSALITO WATERFRONT ENFORCEMENT



RICHARDSON BAY 2010



NOVEMBER 2015 (PRE-ENFORCEMENT)



**FEBRUARY 12, 2019
(POST-ENFORCEMENT)**



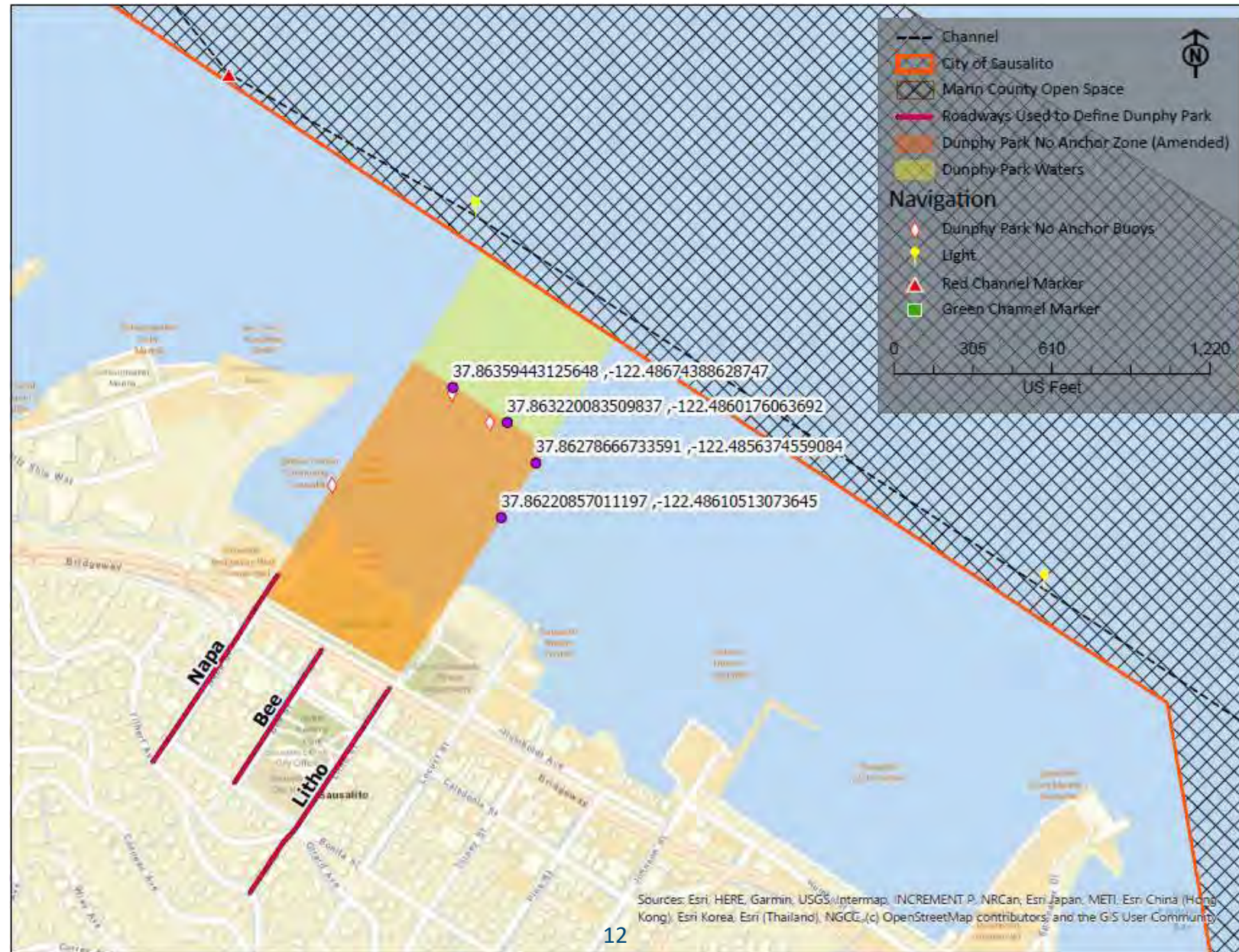
**FEBRUARY 26, 2020
(POST-ENFORCEMENT)**



**FEBRUARY 26, 2020
(POST-ENFORCEMENT)**



DUNPHY PARK BUOYS TO INDICATE PROTECTED WATERS



DUNPHY PARK INCIDENT

The situation began Saturday when two small sailboats beached in Dunphy Park. The operators told Sausalito Police they brought the boats ashore to clean the bottoms of the boats, a process known as "scraping."

Police informed the boaters that beaching the boats was against the law in that area because it is environmentally sensitive and that scraping the boats could also pollute the area.

The boaters initially refused to move. On Saturday afternoon, police issued both boat owners standard 72-hour warnings to move their boats or they would be towed away and impounded at their expense. The police also issued citations to both boaters for violating City of Sausalito Municipal Code section 16.04.070, a violation that is a misdemeanor with a potential penalty of \$500.

ANCHOR OUT SAILBOATS INTENTIONALLY BEACHED AT DUNPHY PARK SHORELINE ON FEBRUARY 12, 2022



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BEACHED SAILBOAT FOR BOTTOM CLEANING



DUNPHY PARK INCIDENT

One of the boats sailed away. The other boat remained, filled with water, and sank. A sheen formed around the sunken boat, indicating it may be leaking fuel. Police immediately notified the Warning Center of Cal OES, the U.S. Coast Guard and California Department of Fish and Wildlife after noticing the sheen.

The owner of the sunken boat was also cited for a violation of the Fish & Game Code, Section 5650, for the environmental violation related to the diesel spill.

The Sausalito Police Department arranged for Parker Diving Service to place a protective boom around the sunken boat to prevent further damage to the environment.

BEACHED SAILBOAT SUNK AT HIGH TIDE AT DUNPHY PARK SHORELINE ON FEBRUARY 12, 2022



OIL SHEEN CLEAN UP AND BOOM PLACEMENT AT DUNPHY PARK SHORELINE ON FEBRUARY 12, 2022



OIL SHEEN CLEAN UP AND BOOM PLACEMENT AT DUNPHY PARK SHORELINE ON FEBRUARY 12, 2022



REMOVAL OF OTHER VESSELS

- 2 vessels that arrived in Sausalito Waters after January 22, 2018 were removed prior to the December 31, 2021 deadline
- COVID restrictions have delayed the City's efforts to remove
 - Third non-legacy vessel (December 31, 2023 deadline)
 - 6 legacy vessels (December 31, 2025 deadline)

REGIONAL COORDINATION- HOUSING

Section 3a: Implement Measures to Provide Housing for Anchor Outs in Richardson's Bay

- **6th Housing Element**
 - Public Process to plan for 724 Housing Units
 - 200 Very Low income units
 - 115 Low income units
 - 114 Moderate income units
 - 295 Above Moderate income units
 - Draft Plan expected to be prepared in Summer of 2022
 - Housing Element expected to be adopted in January 2023
- **SB 9**
 - In process of developing a tailored enacting ordinance to implement ministerial “by-right” regulations for new housing units in residential zoning districts.

REGIONAL COORDINATION- HOUSING

Section 3a: Implement Measures to Provide Housing for Anchor Outs in Richardson's Bay

- **Objective Development Design Standards**
 - Develop standards to facilitate the creation of new housing units by establishing by-right ministerial regulation that will streamline housing projects.
- **Machine Shop**
 - Pursuing purchase of the “Machine Shop” with the General Services Administration to relocate existing Corporation Yard to the Machine Shop site
 - Corporation Yard converted to Housing
- **Interim update submitted June 30, 2021**

EELGRASS RESTORATION AND DAMAGE AVOIDANCE

**Per the BCDC – Sausalito
Agreement:**

Goal is to restore, create, or
enhance eelgrass damaged
caused by unlawfully
anchored vessels



EELGRASS RESTORATION AND DAMAGE AVOIDANCE

Mechanisms to Achieve Goal:

1. Quantify eelgrass damage
2. Restoration plan
3. Measures to avoid and minimize further damage
4. Incorporate into restoration as appropriate the findings of pilot eelgrass restoration programs currently being implemented in Richardson Bay
5. Monitor and adaptively manage eelgrass restoration activities for at least 10 years



EELGRASS RESTORATION AND DAMAGE AVOIDANCE

Status Update:

Eelgrass damage associated with illegal mooring and anchoring was conservatively estimated at 6.28 acres in Sausalito waters

- Source for data analysis was M&A (2019) which mapped eelgrass and anchor scars throughout Richardson Bay
- Data were cropped by the City of Sausalito water limits
- Results provided in MTS memorandum dated October 15, 2021



EELGRASS RESTORATION AND DAMAGE AVOIDANCE

Status Update:

Measures to avoid and minimize future damage

Memo was prepared by Brad Damitz and MTS on October 15, 2021, and recognized value of existing measures

- Enhanced enforcement/abatement plan
- Sausalito waterfront management plan
- Hiring of additional staff to assist in enforcement
- Establishment of no anchor area off Dunphy Park
- Memo recommended continuation of above actions



EELGRASS RESTORATION AND DAMAGE AVOIDANCE

Status Update:

Measures to avoid and minimize future damage

Memo recommended

- Continuation of already implemented actions
- Establish additional no-anchor zones in existing and potential eelgrass habitat
- Evaluate locations of remaining vessels and consider moving temporarily until permanent removal can occur

EELGRASS RESTORATION AND DAMAGE AVOIDANCE

Status Update:

Future actions

Additional data collection

- Map eelgrass in City of Sausalito waters scheduled for mid-April 2022
- Data will provide information to identify suitable restoration areas

Restoration plan

- Establish potential restoration areas
- Identify methods based on existing methodologies and current pilot efforts to restore eelgrass in Richardson Bay
- Develop a schedule to meet project milestones over the 10-year period following implementation per the agreement between BCDC and Sausalito
- To be provided to BCDC by June 30, 2022



REPORTING

- Monthly meetings with staff
- Monthly written reports
- First annual report submitted in January 2022
- This is the first of the tri-annual reports to the Enforcement Committee

THANK YOU

